IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

Bail Appl..No. 2932 of 2007()

CRIME NO.95/2007 OF NEDUPUZHA POLICE STATION

.....

PETITIONER/IST ACCUSED

KOYA @ SABU, AGED 27,
S/O.HAMZA, RAYAMARAKKAR HOUSE,
KANIMANGALAM VILLAGE, DESOM, THRISSUR.

BY ADV. SRI.P.SANTHOSH (PODUVAL)
SMT.R.RAJITHA

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
SUB-INSPECTOR OF POLICE, NEDUPUZHA POLICE
STATION, THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No.2932/2007

Dated this the 30th day of May, 2007

O R D E R

Petitioner who is the first accused in Crime No.95/2007 of Nedupuzha Police Station for offences punishable under Sections 323, 325, 341, 365, 394 and 506(ii) IPC read with section 34 I.P.C., seeks anticipatory bail. The occurrence took place on 23.3.2007.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation and then to have his application for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioner shall surrender before the investigating officer on any day between 6-6-2007 and 8-6-2007 for the purpose of interrogation and recovery of incriminating material, if any. The petitioner shall thereafter be produced on the same day before the Magistrate who shall consider his application for regular bail preferably on the same date on which such application is filed.

This petition is disposed of as above.

V.RAMKUMAR, JUDGE

mrcs